

JFK RECORDS

v09-16-96ccr

Cross Reference: None

Status in System:

AGENCY : HSCA
RECORD NUMBER : 180-10142-10052
RECORD SERIES : CIA SEGREGATED COLLECTION
AGENCY FILE NUMBER : 22-20-03/1
Other Agency Equity: None

DOCUMENT INFORMATION

ORIGINATOR : HSCA
FROM : CIA
TO :
TITLE :
DATE : 00/00/00
PAGES : 114
DOCUMENT TYPE : REPORT
SUBJECT(S) : ; ; OSWALD, LEE, 201 FILE; OSWALD, LEE, RUSSIAN PERIOD;
CLASSIFICATION : UNCLASSIFIED
RESTRICTIONS : 3
CURRENT STATUS : POSTPONED IN PART
DATE OF LAST REVIEW : 08/07/95
COMMENTS : Box 11

Date in: 01/26/96

T T F F F F F F
F F F F F F F F

**THIS COPY IS NOT
FOR RELEASE.**

Jan
12/03/01

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF THIS DOCUMENT
AS REDACTED

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

As an Agent or
Other

T. E. 065
Box 22
F 20
Item 3-1

LHO Was Not Associated in any Capacity with the CIA

In 1964, the CIA advised the Warren Commission that the Agency never had a relationship of any kind with Lee Harvey Oswald. Testifying before the Commission, John A. McCone, who was then Director of Central Intelligence, indicated that Oswald was not an agent, employee, or informant of the Central Intelligence Agency. The Agency never contacted him, interviewed him, talked with him, or solicited any reports or information from him, or communicated with him directly or in any other manner...Oswald was never associated or connected directly or indirectly in any way whatsoever with the Agency." ___/ McCone's testimony was corroborated by Richard M. Helms, then the Agency's Deputy Director for Plans and therefore the person directly responsible for all CIA clandestine operations. ___/ Once these assurances had been received, ___/ the record reflects no

THIS COPY IS NOT

Classification: _____

FOR RELEASE

Classified by derivation: 72/03/01

2
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

further efforts by the Warren Commission to investigate
this matter.

The Committee sought to resolve the issue of Oswald's
alleged association with the CIA by conducting an inquiry
that went beyond the threshold level of obtaining statements
from two of the Agency's most senior officials. ~~Instead,~~
a more analytical investigative approach was utilized.

First, an effort was made to identify circumstances ~~either~~
in Oswald's life or in the manner in which his case was
handled by the CIA ^{that} ~~which~~ were potentially suggestive of an

intelligence association, ~~of some kind.~~ Then, an intensive

file review was undertaken ^{that} ~~which~~ included both the CIA's

144-volume Oswald file and hundreds of others from the CIA, ^{set} relevant portions of

as well as the FBI, State Department, and the Department of

Defense. / Based upon these file reviews, a series of

Classification: _____

Classified by derivation: _____

3
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

interviews, depositions, and executive session hearings were conducted with both Agency and non-Agency witnesses. The contacts with present and former CIA personnel covered a broad range of individuals, including staff and division chiefs, clandestine case officers, area desk officers, research analysts, secretaries, and clerical assistants. In total, more than 125 persons, including at least 50 present and former CIA employees, were questioned regarding this issue. *Added by [signature]*

The results of this investigation confirmed the Warren Commission testimony ^{of} ~~given by Messrs.~~ McCone and Helms. There was no indication in Oswald's CIA file ~~suggestive in any way~~ that he had ever had any contact with the Agency. Moreover, the Agency employees who would have been in a position to know, if Oswald had been associated with the CIA, uniformly denied that he had been an agent.

Classification: _____

Classified by derivation: _____

present and former ^{Agency} ~~etc~~ employees contacted by the ^{Committee}

Each of the ~~these~~ individuals, was released from his secrecy oath by the CIA insofar as questions relevant to the Committee's legislative mandate were concerned.

④
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

or connected with the CIA in any other capacity. _/

Finally, taken in their entirety, the items of circumstantial
evidence that the Committee had selected for investigation
as possibly indicative of an intelligence association did
not support the allegation that Oswald had an intelligence
agency relationship of ~~some kind~~. any placed in
context

This finding, however, must be qualified, for because the
same institutional characteristics in terms of the Agency's
strict extreme compartmentalization and the complexity of its
enormous filing system, that are designed to prevent preclude
penetration by foreign powers have the simultaneous effect
of making Congressional inquiry ~~very~~ difficult. For example,
CIA personnel testified to the Committee that a review of
Agency files would ~~will~~ not always indicate whether an individual
was affiliated with the Agency in any capacity respect. Nor was

there always an independent means of verifying that all

Classification: _____

Classified by derivation: _____

⑤
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

materials requested from the Agency were, in fact, provided.

Accordingly, any finding ^{that} ~~which~~ is essentially negative in

nature ~~such~~ as that Lee Harvey Oswald was neither associated

with the CIA in any way, nor ever ~~even~~ in contact with that

institution ~~should always acknowledge the possibility~~ ~~cannot be rendered in absolute terms.~~

~~of error~~

~~It cannot be rendered in absolute terms.~~

To the extent possible, however, the Committee's

investigation was designed to overcome the Agency's

institutional obstacles that potentially impede effective

~~external~~ scrutiny of the CIA. The vast majority of CIA

files made available to the Committee were reviewed in

~~unredacted~~

~~unsanitized~~ form. These files were evaluated both for their

substantive content and for any potential procedural

irregularities suggestive of possible ^{editing or} tampering. After

review, the files were used as the basis for examination

and cross-examination of present and former Agency

Classification: _____

Classified by derivation: _____

6
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

employees. Because of the number of Agency personnel who
interviewed
were ~~queried~~, it is highly probable that any significant

inconsistencies between the files and the witnesses'

discussed by the Committee
responses would have been established.

Got insert
from back of p. 3

Classification: _____

Classified by derivation: _____

②
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

SUMMARY OF THE EVIDENCE

CIA Personnel in the Soviet Russia Division [CIC]

In addition to obtaining testimony from former
directors ~~John H. McCone~~ and ~~Richard M. Helms~~, the
Committee interviewed ⁺² ~~individuals who were~~ chiefs of the
CIA's Soviet Russia division during 1959-1963.* These
individuals categorically denied that Oswald had ever
been associated in any capacity with the CIA.

To investigate this matter further, the persons who
had been chiefs ~~and/or~~ ^{+ the Committee interviewed} deputy chiefs during 1959-62 of the
three units within the Soviet Russia division ^{that} ~~which~~ were
responsible respectively for clandestine activities,

one or more?
*The chief (S) of the Soviet Russia division from August 1962
to September 1963 was not interviewed by the Committee.

15
Classification: _____

Classified by derivation: _____

8
cooperating
American
[unclear]
[unclear]

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

American legal travelers and research in support of clandestine activities.* The heads of the clandestine

activity section stated during this period the CIA had ^{that} very few operatives in the Soviet Union and that Oswald

was not one of them. [Moreover, they stated that because of

? his obvious instability, Oswald would never have met the

Agency's standards for use in the field.** The heads of the

^{this}
stat. ~~Oswald~~
stat.
have been
*For ~~this~~ unit, ~~that~~ was responsible for American legal travelers, only the years 1959-61 were covered. However, since every American legal traveler who was involved in this program was recruited before ~~this~~ trip to the Soviet Union, the relevant year for Lee Harvey Oswald was 1959 because that is when he departed from the United States.

**One officer acknowledges the remote possibility that an individual could ~~be~~ run by someone as part of a "vest pocket" operation without other Agency officials knowing about it, but even this possibility, as it applies to Oswald, was negated by the statement of the deputy chief of the Soviet Russia clandestine activities section who commented that in 1963 he was involved in a review of every clandestine operation ever run in the Soviet Union, and that Oswald was not involved in any of these cases.

The American Legal Travelers' unit used unlawfully selected American citizens traveling in the Soviet Union to assess ^{that} potential use of Soviet officials they had met for future intelligence work on behalf of the United States.

Classification: _____

Classified by derivation: _____

9

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

section which sought the cooperation of visitors to the Soviet Union

Soviet Russia division's American Legal Traveler program

~~which utilized Americans traveling in the Soviet Union~~

~~as a means of obtaining information and identifying~~

~~possible subjects for recruitment,~~ informed the Committee

that they met with each person involved in ~~this activity~~ *then program*

and that Oswald was not one of them. These Agency officials

also advised the Committee that only "clean-cut" *collegiate type* college

graduates were used in this program, and that Oswald did

not meet this criteria. *on* Finally, the Agency officers in

charge of the Soviet Russia division's research section

in support of clandestine activities indicated that, had

Oswald been contacted by the Agency, their section would

~~probably have been informed, but that this, in fact, never~~ *It was not*

occurred.

Classification: _____

Classified by derivation: _____

19
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

as reflected
2 CIA Personnel in (Tokyo, Japan) (CIC)

The Committee investigated the allegation of former
CIA employee James Wilcott, who testified in executive
designated as "S"
session that shortly after the assassination of President

Kennedy he was advised by fellow employees at the CIA's

(Tokyo Station) that Lee Harvey Oswald was a CIA agent who

post advised
had received financial disbursements under an assigned

cryptonym. Wilcott explained that he had been employed

by the CIA as a finance officer from 1957 until his resignation

~~from the Agency~~ in 1966. In this capacity, he served as a

a post abroad
fiscal account assistant on the support staff at (Tokyo)

(Station) from June of 1960 to June 1964. Wilcott advised

also the Committee
that in addition to his regular responsibilities, he had

performed
served security duty on his off-hours in order to supplement

his income. This ~~additional job~~ put him in contact with

Classification: _____

Classified by derivation: _____

(11)
CIVILIAN COLLECTION TO
DECLASSIFICATION AND/OR
RELEASE OF THIS DOCUMENT
as indicated

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

other employees of *(The TOKYO STATION)*
2-part who would come by the
office and engage in informal conversations ~~regarding~~
~~politics and their work~~

~~Wilcott~~ told the Committee that on the day after President
Wilcott
Kennedy's assassination *He* was informed by a CIA case
Sta 1-5 officer that ~~Lee Harvey~~ Oswald was *an* CIA agent. ~~Wilcott~~ *He*

further testified that he was told that Oswald had been
(see over)
assigned a cryptonym and that Wilcott himself had

unknowingly disbursed payments for Oswald's ~~project using~~
is project
that cryptonym. Although Wilcott was unable to identify the

specific case officers who had initially informed him of
Oswald's Agency relationship, he named several employees

of *(The TOKYO STATION)* with whom he believed he had subsequently
discussed the allegations.

Wilcott advised the Committee that after learning

Classification: _____

Classified by derivation: _____

Place at bottom of page:

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF THIS DOCUMENT

*A cryptonym is a

code designation for an Agency project, program or activity or an organization, agency, or individual (for whom a legal signature is not required) having a sensitive operational relationship with the Agency.

NO #

Cryptonyms are used in communications only to the extent to protect sensitive information from disclosure to unauthorized persons. They will be used (1) when disclosure of the true identity of persons, organizations, or activities would be detrimental to the interest of the U.S. Government or to the persons, organizations, or activities concerned, or (2) to prevent disclosure of a sensitive operational relationship with the Agency.

(12)

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

NO RELEASE OF THIS DOCUMENT
UNLESS RECOMMENDED BY
THE DIRECTOR OF THE
CIA

of the alleged Oswald connection to the CIA, he had never rechecked (The TOKYO STATION) disbursement records for evidence of the Oswald project. He explained that this was because at that time he viewed the information as mere shop talk and gave it little credence. Neither did he report the allegations to any formal investigative bodies, following the assassination as he considered the information to be hearsay.

Over

In an attempt to investigate Wilcott's allegations, concerning Lee Harvey Oswald's relationship with the CIA, the Committee interviewed several present and former CIA employees who were selected on the basis of the position each had held with the CIA during the years 1954-1964. Among those persons interviewed were individuals whose responsibilities covered a broad spectrum of areas within (The TOKYO STATION) during this period, including the chief and deputy chief of

Classification: _____

Classified by derivation: _____

12

Agency copy of the

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/10/01 BY 60322
RELEASE OF THIS INFORMATION IS
UNLAWFUL

Walt was unable to specify or particularize
in which Oswald ~~document~~ never was
involved, nor was he familiar with
the status of that project. In this
regard, however, he noted that, as a
consultant, he was ~~not~~ ^{never} ~~so~~
apprised of the substantive aspects of any of
the projects.

and project funds were disbursed under code 0000,

(13)
as redacted
Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

station as well as officers in finance, registry, the Soviet Branch and counterintelligence. / ~~The Committee's~~

~~investigation refuted Wilcott's allegation.~~

During the course of their employment in *(THE TOKYO)*

(STATION); none of these individuals interviewed had ever seen

any documents or heard any information indicating that Lee

 ~~Harvey~~ Oswald was a ~~CIA~~ ^{can} agent. / This allegation was not.

it was published by critics of the
known to anyone until ~~the time of publication of~~ Warren

~~Commission critical literature and the Garrison investigation~~

in the late 1960's. / Some of the individuals, including

the chief of counterintelligence within the Soviet Russia

Branch *(IN TOKYO)* expressed the belief that it was possible

that Lee ~~Harvey~~ Oswald had been recruited by the ^{*Soviet*} KGB

during his military tour of duty in Japan, as the CIA's

(TOKYO STATION) had identified a KGB program aimed at recruiting

Classification: _____

Classified by derivation: _____

(14)

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

as redacted

U.S. military personnel in Tokyo during the period that Oswald was stationed there. An intelligence analyst whom Wilcott had specifically named as having been involved ~~following the assassination~~ ^{about} in a conversation ~~regarding~~ the Oswald ~~CIA agent~~ allegation told the Committee that he was not in the *(THE TOKYO STATION)* at that time. A review of this individual's Office of Personnel file confirmed that, in fact, he had been transferred from *(THE TOKYO STATION)* to the United States in 1962.

The chief of *(THE TOKYO STATION)* from 1961-1965 stated that, had Oswald been used by the Agency within ^{*(his Tokyo Station)*} their jurisdiction, ~~they~~ ^{he} certainly would have known about it.

Similarly, almost all those persons interviewed who worked in the Soviet Russia branch of that station indicated that they would have known if ~~Lee Harvey~~ Oswald had, in fact,

Classification: _____

Classified by derivation: _____

11
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

as indicated
by *the* _____
been recruited ~~as a~~ CIA agent when he was in Japan.

These persons expressed the opinion that, had Oswald been
recruited without their knowledge, it would have been a rare
exception contrary to the working policy and guidelines of

The TOKYO STATION
The Committee concluded that Oswald's allegation
was not worthy of belief.
B. Lee Harvey Oswald's CIA File *(CIC)* *as an individual.*

The CIA has long acknowledged that, prior to the
data about Oswald
President's assassination, it had a personality file on
that is, a file that contained
~~Lee Harvey Oswald~~ *Government* This file, which in Agency terminology
is referred to as a 201 file, was opened on December 9, 1960.

The Agency ~~has~~ explained ~~to the Committee~~ that 201 files are
opened when a person is considered to be of potential

intelligence or counterintelligence significance. The
opening of such a file is designed to serve the purpose of
bringing all of the CIA's information pertaining to that

Classification: _____

Classified by derivation: _____

46
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/1/83 BY SP-6
RELEASE OF INFORMATION
As redacted

been recruited as a CIA agent when he was in Japan.

These persons expressed the opinion that had Oswald been
recruited without their knowledge, it would have been a rare
exception contrary to the working policy and guidelines of

(THE TOKYO STATION)

3 Lee Harvey Oswald's CIA File CIC

The CIA has long acknowledged that, prior to the
President's assassination, it had a personality file on
Lee Harvey Oswald. This file, which in Agency terminology
is referred to as a 201 file, was opened on December 9, 1960.
The Agency has explained to the Committee that 201 files are
opened when a person is considered to be of potential
intelligence or counterintelligence significance. The
opening of such a file is designed to serve the purpose of

bringing all of the CIA's information pertaining to that

Consolidating certain

Classification: _____

Classified by derivation: _____

Classification: _____

(16)
CIA HAS NO CONTROL OVER
DECLASSIFICATION AND
RELEASE OF THIS DOCUMENT

(This form is to be used for material extracted
from CIA—controlled documents.)

The 201 file is kept by
individual into one centralized records system, ~~belonging~~
~~to~~ the Deputy Directorate for Operations, ~~that~~ component
~~of the Agency~~ responsible for clandestine activities.

The existence of a 201 file does not necessarily
connote any actual relationship or contact with the CIA.
For example, the Oswald file was purportedly opened
because he was considered to be a potential counterintelligence
threat. Oswald's file contained absolutely no indication that
he had ever had ~~any~~ relationship with the CIA. Nevertheless,
because the Committee was aware of at least one instance
(in an unrelated case) where an Agency officer had apparently
contemplated the use of faked files with forged documents, /
special attention was given to procedural questions that were
occasioned by this file review.

Classification: _____

Classified by derivation: _____

15
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

Why was Oswald's 201 file opened on December 9, 1960,
more than a year after his attempt to defect to the
Soviet Union?

A confidential State Department telegram dated
October 31, 1959, which was sent from Moscow to the CIA,
reported that ~~Lee Harvey~~ Oswald, a recently discharged
marine, had appeared at the United States Moscow embassy
to renounce his American citizenship and "has offered
Soviets any information he has acquired as /an/ enlisted
radar operator." At least three other communications of
a confidential nature ^{that} which gave more detail on the Oswald
case were apparently sent to the CIA ^{in about same period} during the same

*Two of these documents, Warren Commission Exhibits 917 and
918, contained routing notations indicating that they had been
sent to the CIA, but the documents themselves were never
found in Oswald's file.

Classification: _____

Classified by derivation: _____

17

18
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

~~approximate time period~~ / Agency officials questioned by
the Committee have testified that the substance of the
October 31, 1959 cable was sufficiently important to warrant
the opening of a 201 file. In fact, ~~however~~, Oswald's file
was not opened until December 9, 1960.

The CIA was requested by the Committee to indicate
where documents pertaining to Oswald had been disseminated
internally and stored prior to the opening of his 201 file.
In response, the Agency advised the Committee that because
document dissemination records of low national security
significance are retained for only a five-year period, they
are no longer in existence for the years 1959-1963. /
Consequently, the Agency was unable to explain either when
these documents had been received or by which component.

Classification: _____

Classified by derivation: _____



19
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

An Agency memorandum, dated September 18, 1975,
indicates that Oswald's file was opened on December 9, 1960
by virtue of the receipt of five documents: two from the
FBI, two from the State Department, and one from the Navy. /
This reasoning, however, is inconsistent with the presence
in Oswald's file of four State Department documents dated in
1959 and a fifth dated May 25, 1960. It is, of course,
possible that the September 18, 1975 memorandum is referring
to State Department documents that were received by the DDO
in October and November of 1960 and that the earlier State
Department communications had been received by the CIA's
Office of Security but not the DDO. In the absence of
dissemination records, however, the issue cannot be
resolved on this basis.

The September 18, 1975 memorandum also states that

Classification: _____

Classified by derivation: _____

20
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

Oswald's file was opened on December 9, 1960 as a result of his "'defection' to the USSR on 10/31/59 and renewed interest in Oswald brought about by his queries concerning possible reentry into the United States." ___/ There is no indication, however, that Oswald expressed ^{to} any intention ^{to the USSR} of returning ^{to the USSR} to any United States government official until mid-February of 1961. Finally, reference to the original form that was used to start a file on Oswald ^{did} does not resolve this issue, because the appropriate slot ^{that} which would normally indicate the "source document" that initiated the action ^{referred} makes reference to an Agency component rather than to a dated document.

The Committee was able to determine the basis for the opening of Oswald's file on December 9, 1960 by interviewing and then deposing the Agency employee who was directly responsible for initiating the opening action. This individual

Classification: _____

Classified by derivation: _____

(21) Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

explained that the CIA had received a request from the State Department for information concerning American defectors. After compiling the requested information, she responded to the inquiry and then opened a 201 file on each defector involved. _/

This statement was corroborated by review of State Department ^(letter) which indicated that such a request, in fact, had been made of the CIA on October 25, 1960. Attached to the State Department letter was a list of known defectors; ~~Lee Harvey~~ Oswald's name was on that list. _/ The CIA responded to this request on November 21, 1960 by providing the requested information and adding two names to the State Department's original list.

Significantly, the Committee reviewed the files of ~~eleven~~ individuals on the original State Department list

Classification: _____

Classified by derivation: _____

Classification: _____

(22)

(This form is to be used for material extracted
from CIA—controlled documents.)

was opened in December 1960
and determined that ~~the~~ files for each of the five (including
Oswald) who did not have Agency (201) files prior to ~~the~~
receipt of the State Department inquiry, ~~were opened in~~
~~December 1960~~. In each case, the slot for "source document"
reference an,
~~made reference to the same~~ Agency component rather than to
a dated document.

Even so, this analysis only explains ^{ed} why a file on
Oswald was finally opened; ~~standing alone~~ ^{ed} it ~~does~~ not explain
the seemingly long delay in the opening of the file. To
determine whether such a delayed opening was necessarily
unusual, the Committee reviewed the files of 13 of the 14
persons on the CIA's November 21, 1960 response to the State
Department and of 16 other defectors (from an original list
of 380) who were American born, had defected during the
years 1958-1963, and who had returned to the United States

Classification: _____

Classified by derivation: _____

23
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

during that same time period. Of 29 files that were reviewed,
eight individuals had been the subject of 201 files prior to
the time of their defection. In only four of the remaining
²¹
~~twenty-one~~ cases were 201 files opened at the time of
defection. The files on the 17 other defectors were opened
from four months to several years after the ~~time of~~ defection.

the Committee
At the very least, ~~this file review~~ indicated that

^{1963,}
during 1958-~~65~~ the opening of a file years after a defection
was not at all uncommon. In many cases the opening was
triggered by some event, independent of the defection, which
drew attention to the individual involved.

4) Why was Lee Harvey Oswald's 201 file opened under
the name Lee Henry Oswald?

Lee Harvey Oswald's 201 file was mistakenly opened
under the name Lee Henry Oswald. No Agency witness was able

Classification: _____

Classified by derivation: _____

24
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

~~specifically~~ to explain how this mistake was made. All Agency personnel, however, including the person who initiated the file opening, testified that this must have been occasioned innocently by bureaucratic error. Moreover, the Committee received substantial testimony to the effect that this error would not have prevented Oswald's name from being elicited from the CIA's filing system during a routine name trace done under the name Lee Henry Oswald.

9) What do the letters "AG," which are written in the
space for "Other Identification" on Oswald's 201
opening form, connote?

The form used to initiate the opening of a 201 file for Lee Harvey Oswald contains the designation AG in a box marked "Other Identification." Because this term was considered to be of potential significance in resolving the issue of Oswald's alleged Agency relationship, the CIA was asked to

Classification: _____

Classified by derivation: _____

21
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

explain its meaning.

stet
The Agency's response indicated that "AG" is the OI
("Other Identification") code meaning "actual or potential
defectors ~~to~~ to the East or the SINO/SOVIET Bloc including
Cuba," and that anyone so described could have the OI
code "AG." This code was reportedly added to Oswald's
opening form because of the comment on the form that he had
defected to the Soviet Union in 1959.

An Agency official who was a DDO records expert and
for many years had been involved in the CIA's investigative
efforts concerning the John F. Kennedy assassination, gave
the Committee a somewhat different explanation of the
circumstances surrounding the term "AG" and its placement on
Oswald's opening form. This individual testified that "AG"
was an example of a code used to aid in preparing computer
listings of occupational groupings or intelligence affiliations.

Classification: _____

Classified by derivation: _____

25

26

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

He explained that these codes always utilized two letters and that in this case, the first letter "A" must have represented Communism, while the second letter would represent some category within the Communist structure.

His recollection was that at the time of the assassination, the "AG" code was not yet in existence because there were no provisions then in effect within the Agency for the indexing of American defectors. He recalled that it was only during the life of the Warren Commission that the CIA realized that its records system lacked provisions for indexing an individual such as Oswald. Consequently, the CIA then revised its records handbook to include authorization for indexing American defectors and established a code for its computer system to be used for the category of "American defectors." Although this ^{witness} ~~individual~~ did not know when the

Classification: _____

Classified by derivation: _____

27
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

notation "AG" was added to Oswald's opening sheet, he presumed that it would have to have been following the addition of the American defector code, thus placing the time somewhere in the middle of the Warren Commission's investigation. He explained that it was difficult to determine when any of the notations on the opening sheet were made, since it was standard procedure to update the forms whenever necessary so that they were as reflective as possible of the available information.

Finally, this ^{witness} ~~individual~~ testified that the regulations regarding the use of this occupation and intelligence code specifically prohibited indicating that a particular person was either an employee of the Agency or someone who was used by the Agency. ___/ This prohibition was designed to prevent anyone from being able to produce any kind of categorical listing of CIA employees, contacts, or connections. ___/

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

28

7) Why does the opening form for ~~Lee Harvey~~ Oswald's
201 file indicate that the file was to be restricted?

The form that was used to initiate the opening of Lee
Harvey Oswald's 201 file contains a notation indicating that
the file was to be "restricted." This indication was
considered potentially significant because of the CIA's
practice of restricting agents' files to persons on a "need
to know" basis.

access to

no
Further investigation, however, revealed that restricting
access to a file was not necessarily indicative of any relation-
ship with the CIA.

The individual who actually placed the restriction on
Oswald's file testified that this was done simply to allow
her to remain aware of any developments that might have
occurred with regard to the file. This purpose was achieved
because any person seeking access to the file first had to

Classification: _____

Classified by derivation: _____

Classification: _____

29

(This form is to be used for material extracted from CIA—controlled documents.)

notify the restricting officer; at that time the restricting officer could be apprised of any developments possibly necessitating access to the file by someone else.

This testimony was confirmed by a CIA records expert who further testified that, had the file been permanently ^{to a permanent} changed as well as restricted, the possibility of a relationship with the CIA would have been greater. There was no indication on Oswald's form that it had been placed on permanent change.

Finally, the Committee reviewed the files of four other defectors ^{that} ~~which~~ had been opened at the same time and by the same person as Oswald's, and determined that each of their files had similarly been restricted. Each of these other individuals ^{was} ~~had been~~ on the list of defectors that had been exchanged by the CIA and State Department. None of the files pertaining to these other defectors had any evidence suggestive

Classification: _____

Classified by derivation: _____

36
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

of a possible intelligence agency association.

e) Were 37 documents missing from ~~Lee Harvey~~ Oswald's
201 file?

In the course of reviewing ~~Lee Harvey~~ Oswald's 201 file,
the Committee discovered an unsigned memorandum to the Chief
of Counterintelligence, Research and Analysis, dated
20 February 1964, which stated that 37 documents were missing
from Oswald's 201 file. According to the memorandum, this
statement was based upon a comparison of a machine listing
of documents officially recorded as being in the 201 file and
those documents actually physically available in the file.
While the memorandum mentioned that such a machine listing was
attached, no such attachment was found in the 201 file at
the time of the Committee's review. The memorandum itself
bears the classification "SECRET EYES ONLY," and ^{was} is one of the

Classification: _____

Classified by derivation: _____

31
Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

documents that had been fully withheld from release under the Freedom of Information review. Act.

In response to a Committee inquiry, the CIA advised that, because Oswald's file was so active during the course of the Warren Commission investigation, ~~up-to-date~~ machine listings were produced periodically. On this basis, the Agency stated that ["]it must be assumed that whoever was responsible for maintaining the Oswald file brought ~~this~~ ^{the} file up-to-date by locating the 37 documents and placing them in the file."

Because this response was incomplete, the author of this memorandum was deposed. He testified that once a document had been registered into a 201 file by the Agency's computer system, physical placement of the document in the file was not always necessary. On this basis, he explained that the items listed in the memorandum were not missing but

Classification: _____

Classified by derivation: _____

32
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

rather had either been routinely placed in a separate file because of their sensitivity or were being held by other individuals who needed them for analytical purposes. He further stated that in the course of his custodianship of Oswald's file, he had requested perhaps as many as 100 computer listings on the contents of the Oswald file. While there had been many instances in which one or more documents had been charged out to someone, he stated that he had never discovered that any documents were actually missing. According to his testimony, the 37 documents, in fact, were available, but simply were not located in the file at that time.

Q) Was there any evidence that the CIA had for some
reason maintained a dual filing system regarding
Lee Harvey Oswald?

~~Although~~ the Committee was aware from ^{its} outset of
the possibility that a dual filing system -- ^{using} one

Classification: _____

Classified by derivation: _____

33
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

ostensibly innocuous file and one which contained ~~the actual~~
operational detail indicative of an ~~Agency~~ relationship with ^{b.c.}
^{for other} a
the CIA -- could be utilized to disguise the existence of ~~an~~
~~CIA~~ actual relationship between an individual and the CIA, this
^{developed}
awareness heightened into a concern with the discovery of
~~certain files which indicated~~ that at least two Agency
officers had contemplated the use of fake files and forged
documents to protect the ~~purpose of the~~ ZR Rifle project
^{disclosure} from being disclosed. (The ZR Rifle project was an executive
^{of foreign leader} ~~unrelated~~
action (i.e. assassination) program which ~~bore no relation~~ to
^{Former CIA Director}
the Oswald case. Richard Helms testified that the assassinations
aspect of this project was never implemented and, in fact,
was discontinued as soon as it was brought to his attention, ¹
but the implications of this discovery in terms of the
^{possibility also} ~~potentiality for a faked~~ Oswald file were troubling.
^{resome}

Classification: _____

Classified by derivation: _____

74
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

In the Oswald case, ~~there were~~ ^{was scrutinized} two items which received
~~scrutiny~~ because they were potentially indicative of a dual
filing system. The first involved a photograph of ~~him~~ ^{Oswald} that
had been taken in Minsk in 1961, ~~and~~ the second concerned a
copy of a letter that had been written to ~~him~~ ^{Oswald} by his mother
during his stay in the Soviet Union. At the time of
President Kennedy's assassination, both of these items were in
the CIA's possession, but neither was in Oswald's 201 file.

The photograph of Oswald taken in Minsk shows him
posing with several other people. According to the CIA, the
picture was found after the assassination as a result of
a search of the Agency's graphics files for materials potentially
relevant to Oswald's stay in the Soviet Union. ___/ The
Agency advised that this photograph, as well as several
others not related to Oswald, were routinely obtained in

Classification: _____

Classified by derivation: _____

35
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

1962 from some tourists by the CIA's Domestic Contacts Division, a component that frequently sought information on a nonclandestine basis from Americans traveling abroad in Communist countries.

Committee interviews with the tourists in question confirmed that the photograph, along with 159 other photographic slides, had been made routinely available to the ~~Agency's~~ Domestic Contacts Division. Neither tourist had heard of ~~Lee Harvey~~ Oswald prior to the assassination or ~~even~~ knew which photographs had been of interest to the Agency.

CIA records indicate that only five of the 160 slides initially made available were retained. ___/ Committee interviews with the two CIA employees who had handled the slides for the Domestic Contacts Division established that Oswald had not been identified at the time that these

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

36

photographic materials had been made available. / One of these employees stated that the Oswald picture had been retained because it depicted a Soviet intourist guide; the other employee indicated that the picture had been kept because it showed a crane in the background. / The employee who worked at CIA headquarters confirmed that the photograph of Oswald had not been discovered until a post-assassination search of the Minsk graphics file for materials pertaining to Oswald.

Accordingly, this photograph ^{was} ~~is~~ not evidence that the CIA maintained a dual filing system with respect to Oswald. The picture apparently was kept in a separate file only until 1964 when Oswald was actually identified to be one of its subjects.

The Committee's investigation of a letter concerning

Classification: _____

Classified by derivation: _____

37

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

Oswald that was in the Agency's possession similarly did not result in any evidence of a dual filing system. This letter, dated July 6, 1961, had been sent to Marguerite Oswald to her son, but was intercepted as a result of a CIA mail intercept program. ^{it} ^{by} ~~This program~~ ^{its purpose was} known as HT-Lingual, attempted to intercept letters being sent between the United States and Russia in an effort to obtain ~~both positive~~ intelligence and counterintelligence information. ^{Typically}, intercepted letters and/or ~~their~~ envelopes would be photographed and then returned to the mails.

In response to a Committee inquiry, the CIA explained that because of the ~~project's~~ ^{HT-Lingual's} extreme sensitivity, all materials generated as a result of mail intercepts were stored in a separate project's file ^{that} which was maintained by the counterintelligence staff. ^{cr} Consequently, such items were

Classification: _____

Classified by derivation: _____

38
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

not placed in 201 files. This explanation was confirmed by
the testimony of a senior officer from the counterintelligence
staff who had jurisdiction over the HT-Lingual project files.* /

9) Was there any evidence that Lee Harvey Oswald had
ever participated in a CIA counterintelligence
staff project?

The Committee's review of HT-Lingual files pertaining
to Oswald** resulted in the discovery of reproductions of four
index cards, two pertaining to Lee Harvey Oswald and two

30
*Since Oswald was the subject in approximately 50 communications
during his stay in the Soviet Union, the Committee also
questioned why the Agency ostensibly had just one letter
in its possession directly related to Lee Harvey Oswald.
In essence, this may be explained by the fact that HT-Lingual
only operated four days a week, and, even then, only on a
sampling basis. / provided

**Although the Agency had only one letter in its possession
directly related to Oswald, after the assassination the
HT-Lingual files were combed for additional materials potentially
related to him. Approximately 50 pieces of correspondence were
discovered. None of these were ultimately judged to be of any
significance. These materials, however, were stored in a
separate Oswald HT-Lingual file.

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

39
pertaining to Marina Oswald, which were dated after the
assassination of President Kennedy. The pages containing the
reproductions of these cards ~~are~~ stamped "Secret Eyes Only."

The first card regarding Lee Harvey Oswald, ~~is~~ dated
9 November 1959, ~~and~~ states that Oswald is a recent defector to
the USSR and a former Marine. It also bears the notation
"CI/Project/RE" and some handwritten notations. The second
card on Oswald places him in Minsk, USSR. It contains
background information on him and states that he "reportedly
expresses a desire for return to the U.S. under certain
conditions." This card is dated 7 August 1961 and also bears
the notation "WATCH LIST." These cards, particularly the
reference to "CI/Project/RE," raised the question of whether
Lee Harvey Oswald was, in fact, involved in some sort of CI
project.

The Committee questioned former employees of the CIA who
Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

may have had some knowledge pertaining to the HT-Lingual program in general and these cards in particular. Some of these employees recognized the cards as relating to the HT-Lingual project, but were unable to identify the meaning of the notation, "CI/Project/RE."

~~However, one person~~ ^{employee. However,} testified that the "CI Project"

was "simply a name of convenience which was used to describe

the HT-Lingual project." ⁶ another ~~person~~ testified that

"CI Project" was the name of the component ^{that} ~~which~~ ran the

HT-Lingual project. ^{This person also} ~~The latter~~ explained that "RE" represented

the initials of a person who had been a translator of foreign

language documents and that the initials had probably been

placed there so that someone could come back to the translator

if a question arose concerning one of the documents. _/

Another employee testified that the "Watch-List" notation on

Classification: _____

Classified by derivation: _____

411
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

the second card referred to ~~a list of~~ persons who had
been identified as being of particular interest ~~in the Agency~~
with respect to the mail intercept program.

The Committee requested the CIA to provide an
explanation for the terms "CI/Project/RE," and "Watch List,"
and for the significance of the handwritten notations appearing
on the index cards. In addition, the Committee requested a
description of criteria utilized in compiling a "watch list."

In regard to the meaning of the notation "CI/Project/RE,"
the CIA explained that there existed an office within the
Counterintelligence staff that was known as "CI/Project," a
cover title that had been used to hide the true nature of the
office's functions. In fact, this office was responsible for
the exploitation of the material produced by the HT-Lingual
project. The ^{Agency} ~~response~~ further explains that "RE" represents ^{ed} ~~ed~~

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

412
the initials of a former employee who is presently retired under cover.

In responding to a request for the criteria used in compiling a "Watch List," the CIA referred to a section of the Report to the President by the Commission on CIA Activities within the United States, which states:

Individuals or organizations of particular intelligence interest (one should also add counterintelligence interest) were specified in Watch Lists provided to the mail project by the Counterintelligence Staff, by other CIA components, and by the FBI. The total number of names on the Watch List varied, from time to time, but on the average, the list included approximately 300 names, including about 100 furnished by the FBI. The Watch List included the names of foreigners and of United States citizens.

Thus, the full meaning of the notation is that on an employee whose initials were 9 November 1959, RE placed Oswald's name on the "Watch List" for the HT-Lingual project for the reason stated on the card -- that Oswald was a recent defector to the USSR and a former Marine.

Classification: _____

Classified by derivation: _____

413
Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

~~was~~
The response goes on to state that the handwritten number, #7-305, which also appears on the first card, is a reference to the communication from the CI Staff to the Office of Security expressing the ~~former's~~ ^{CI staff's} interest in seeing any mail to or from Oswald in the Soviet Union. Finally, the other handwritten notation, "N/R-RI, 20 Nov. 59," signifies that a name trace run through the central records register indicates that there was no record for Lee Oswald as per that date.*

(the CI staff officer who opened the Oswald 201 file)
The Agency's explanation of the meaning of the second card ~~is~~ ^{was} that on 7 August 1961, Mrs. Egerton ~~has~~ ^{CI staff officer} requested that Oswald's name be placed on the "Watch List" because of Oswald's expressed desire to return to the U.S. as stated on the card. The handwritten notation indicates, in this instance, that Oswald's name was deleted from the "Watch List" on 28 May 1962.

Five
Classification: _____

*This, of course, is contrary to the Agency's record which indicates the receipt of a telegram concerning Oswald on October 31, 1959, and
Classified by derivation: ^{fixed} _____

of two ~~tele~~ telegrams from the Navy
concerning him on November ~~3rd~~³ and 4, 1959.

414
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

will
In reference to the two cards on Marina Oswald, the Agency stated that her name was first placed on the "Watch List" on 26 November 1963 because she was the wife of Lee Harvey Oswald. The second card served the purpose of adding the name Marina Oswald Porter to the "Watch List" on 29 June 1965 after she remarried. Both names were deleted from the list as of 26 May 1972.

Thus, the statements of former CIA employees were corroborated by the Agency's response regarding the explanation of the index cards in the CIA's HT-Lingual files pertaining to Oswald. The explanations attested ~~to the fact~~ that the references on the cards were not demonstrative of an Agency relationship with Oswald, but instead were examples of notations routinely utilized in connection with the HT-Lingual project.

Classification: _____

Classified by derivation: _____

41
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

4. Did the CIA ever debrief ~~Lee Harvey~~ Oswald? CIC

The CIA has denied ever having had any contact with ~~Lee Harvey~~ Oswald, and its records are consistent with this position. Because the Agency has a Domestic Contacts Division ^{which} ~~which~~ routinely attempts to solicit information on a nonclandestine basis from Americans traveling abroad, the absence of any record indicating that ~~Lee Harvey~~ Oswald, a returning defector who had worked in a Minsk radio factory, had not been debriefed has been considered by Warren Commission critics to be either inherently noncredible (i.e., the record has been destroyed) or indicative that Oswald had been contacted through other than routine Domestic Contact Division channels.

After reviewing the Agency's records pertaining to this issue, the Committee's initial point of inquiry was to interview

Classification: _____

Classified by derivation: _____

46
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

the former chief of an Agency component responsible for research
related to clandestine operations within the Soviet Union who
had written a November 25, 1963 memorandum ^{shot} ~~which~~ indicated that,
upon Oswald's return from the Soviet Union, ² * this officer
had considered "the laying of interviews [on him] through
[the Domestic Contacts Divison] or other suitable channels."
This individual indicated that Oswald was considered suspect
because the Soviets had appeared to have been very solicitous
of him. For this reason, a nonclandestine contact, either by
the Domestic Contacts Division or other "suitable channels"
such as the FBI or the Immigration and Naturalization Service,

*The memorandum indicates that the possibility of an Oswald
contact was discussed during the summer of 1960, but the author
indicated that the conversation actually took place during
the summer of 1962, shortly before his transfer to a new
assignment. During the summer of 1960, the author was not
on an active assignment.

Classification: _____

Classified by derivation: _____

47
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

was considered. The officer stated, however, that to his knowledge, no contact with Oswald was ever made^x, moreover, if a debriefing had occurred, the officer stated that he would have been informed. Finally, he stated that Oswald was considered a potential lead, but only of marginal importance, and therefore the absence of a debriefing was not at all unusual.

The Committee interviewed five other Agency employees who were in a position to have discussed Oswald in 1962 with the author of this memorandum, including the person who replaced the author of the memorandum as chief of the research section, but none of them could recall any such conversation. Interviews with personnel from the Soviet Russia Division's clandestine operations section, the American legal travelers visitors program, and the clandestine activity research section failed

Classification: _____

Classified by derivation: _____

(This form is to be used for material extracted from CIA—controlled documents.)

Classified by derivation: _____

49
Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

whom the employee believes ^{ed} may have been Oswald, had been living with his family in Minsk.

The employee advised the Committee that the contact report was filed in a volume ^{on} ~~concerning~~ the Minsk Radio Plant ^{that} ~~which~~ should be retrievable from the Industrial Registry Branch, then a component of the Office of Central Reference. Accordingly, the Committee requested that the CIA provide both the ~~above~~ ~~described~~ contact report and the volume of materials concerning the Minsk Radio Plant. A review by the Committee of the documents in the volumes on the Minsk Radio Plant, however, revealed that no such contact report existed in ^{filed to disclosure} that file.

The CIA ~~has~~ stated to the Committee that, between 1958 and 1963, it had no procedure for the systematic debriefing ^{by} of overseas travelers, including returning defectors. Instead,

Classification: _____

Classified by derivation: _____

50
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

the Agency relied upon the FBI both to make such contacts and
report any significant results.

To investigate this question further, the Committee
reviewed the files of 22 individuals (selected from an original
list of 380 possible Soviet defectors) who were born in America
and appeared to have returned to the United States between
1958 and 1963.* Of these 22 individuals, only four were
interviewed at any time by the CIA. These four instances
tended to involve particular intelligence or counterintelligence
needs, but this was not always the case.

appeared to the Committee
Based upon this file review, it ~~appears~~ that, in fact,

the CIA did not contact returning defectors in 1962 as a matter

*An effort was also made to review only the files of American-
born individuals who had defected during these years. Not
all of the 22 individuals, however, met this criteria.

Classification: _____

Classified by derivation: _____

51

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

of standard operating procedure. For this reason, the
absence of any Agency contact with Oswald upon his return from
the Soviet Union cannot be considered ~~in any way~~ ^{to be} unusual,
particularly since the FBI did fulfill its jurisdictional
obligation to conduct such interviews.

3. The Justice Department's Failure to Prosecute Lee Harvey
Oswald for Offering to Give Intelligence Information to
the Soviet Union

When Lee Harvey Oswald appeared at the United States
Embassy in Moscow on October 31, 1959 for the purpose of
renouncing his American citizenship, he allegedly offered to
give the Soviets information that he had acquired as a
Marine Corps radar operator. ___/ The Committee sought
to determine why the Justice Department did not prosecute
Oswald for his offer to divulge this kind of information.

Classification: _____

Classified by derivation: _____

52

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

A review of Oswald's correspondence with the American embassy in Moscow indicates that on February 13, 1961, the embassy received a letter from him in which he expressed a "desire to return to the United States if...some agreement could be reached concerning the dropping of any legal proceedings against him." ___/ On February 28, 1961, the embassy sought guidance from the State Department concerning Oswald's potential liability to criminal prosecution. ___/ The State Department, however, responded on April 13, 1961 that it was "not in a position to advise Mr. Oswald whether upon his desired return to the United States he may be amenable to prosecution for any possible offenses committed in violation of the laws of the United States..." ___/

On May 10, 1961, Oswald wrote the embassy demanding a "full guarantee" against the possibility of prosecution. ___/

Classification: _____

Classified by derivation: _____

53

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

He visited with embassy consul Richard Snyder on July 16, 1961, and denied that he had ever given any information to the Soviets. ___/ Snyder advised Oswald on an informal basis that, while no assurances could be given, the embassy did not perceive any basis for prosecuting Oswald ~~for an offense involving any severe punishment~~

There is no record that the State Department ever gave Oswald any assurances that he would not be prosecuted.

Upon his return to the United States, Oswald was interviewed twice by the FBI. On each occasion, he denied ever ^{having given} giving any information to the Soviet Union. ___/

In a response to a Committee request, the Department of Justice indicated that prosecution of Oswald was never considered because his file contains no evidence that he had ever revealed or offered to reveal national defense information

Classification: _____

Classified by derivation: _____

54
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

to the Soviet Union. ___/ In a subsequent response, the
Department acknowledged the existence of some evidence that
Oswald had offered information to the Soviet Union, but
stated that there were, nevertheless, serious obstacles to a
possible prosecution:

It (Department file) does contain a copy of
an FBI memorandum, dated July 3, 1961, which
is recorded as having been received in the
Justice Department's Internal Security
Division on December 10, 1963, which states
that the files of the Office of Naval
Intelligence contained a copy of a Department
of State telegram, dated October 31, 1959,
at Moscow. The telegram, which is summarized
in the FBI report, quoted Oswald as having
offered the Soviets any information he had
acquired as a radar operator. The FBI report
did not indicate that the information to
which Oswald had access as a radar operator
was classified.

Oswald returned to the United States on
June 13, 1962. He was interviewed by the
FBI on June 26, 1962, at Fort Worth,
Texas, at which time he denied furnishing
any information to the Soviets concerning
his Marine Corps experiences. He stated
that he never gave the Soviets any information
which would be used to the detriment of the
United States.

In sum, therefore, the only "evidence"
that Oswald ever offered to furnish
information to the Soviets is his own
reported statement to an official at the

Classification: _____

Classified by derivation: _____

55

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

U.S. embassy in Moscow. That statement, of course, was contradicted by his denial to the FBI, upon his return to the United States, that he had ever made such an offer.

In the prosecution of a criminal case, the Government cannot establish a prima facie case solely on a defendant's unsupported confession. The Government must introduce substantial independent evidence which would tend to establish the trustworthiness of the defendant's statement. See, Opper v. United States, 348 U.S. 84 (1954).

Accordingly, in the absence of any information that Oswald had offered to reveal classified information to the Soviets, and lacking corroboration of his statement that he had proffered information of any kind to the Russians, we did not consider his prosecution for violation of the espionage statutes, 18 U.S.C. §§ 793, 793. the Committee could find

Based upon this analysis, ~~there is~~ no evidence that

Oswald received favorable treatment from either the State

Department or the Justice Department regarding the possibility

of ~~a~~ criminal prosecution.

8. Oswald's Contacts with Americans in the Soviet Union [CIC]

a) Priscilla Johnson McMillan L

Priscilla Johnson McMillan, author of Marina and Lee,

became a subject of the Committee's inquiry because she was

Classification: _____

Classified by derivation: _____

Classification: _____

56

(This form is to be used for material extracted
from CIA—controlled documents.)

one of two American correspondents who had obtained an interview
with ~~Lee Harvey~~ Oswald during his stay in Moscow in 1959. The
Committee sought to investigate ^{an} the allegation that Ms. McMillan's
interview with Oswald had been arranged by the CIA.

John McVickar, a consul at the American embassy,
^{discussed}
testified that he had ^{"..."} Oswald's case with Ms. McMillan, and
^{discussed}
that he thought "she might help us in communicating with him
and help him in dealing with what appeared to be a very strong
personal problem if she were able to talk with him." _/

McVickar stated, however, that he had never worked in any
capacity for the CIA, nor did he believe that Ms. McMillan
had any such affiliation. The Committee's review of ~~Mr.~~

McVickar's State Department and CIA files ^{confirmed} that he had
never been associated with the CIA.

Classification: _____

Classified by derivation: _____

57

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

gave the following
~~According to~~ Ms. McMillan's testimony about the events

surrounding her interview with ~~Lee Harvey~~ Oswald, in November 1959, she had just returned from a visit to the United States where she covered the Camp David summit between President Eisenhower and Premier Khrushchev. On November 16, 1959, she went to the American embassy to pick up her mail for the first time since her return to the Soviet Union. The mail pickup facility was in a foyer near the consular office. Consular Officer John A. McVickar came out of this office and welcomed McMillan back to the Soviet Union. They exchanged a few words, and, as she was leaving, McVickar commented that at her hotel was an American who was trying to defect to the Soviet Union. McVickar stated that the American would not speak to "any of us," but ^{he} might speak to McMillan because she ^{ed} was a woman. She recalls that as she was leaving, McVickar

Classification: _____

Classified by derivation: _____

58
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

told her to remember that she was an American.

^{Ms.}
McMillan proceeded to her hotel, found out the
American's room number, knocked on his door and asked him
for an interview. The American, Lee Harvey Oswald, did not
ask her into the room, but he did agree to talk to her in her
room later that night. No American government official
arranged the actual interview with Oswald. She met with Oswald
just once. She believes that McVickar called her on November 17,
the day after her interview with Oswald, and asked her to supper.
That evening at supper they discussed her interview with Oswald.
McVickar indicated a general concern about Oswald and felt that
the attitude of another American consular official might have
pushed Oswald further in the direction of defection. McVickar
indicated a personal feeling that it would be a sad thing for
Oswald to defect in view of his age, but he did not indicate

Classification: _____

Classified by derivation: _____

59
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

that this was the U.S. Government's position. ~~(p. 18)~~.

Ms. ^{Mc}Millan also testified that she had never worked for the CIA, nor was she connected with any other federal government agency at the time of her interview with ~~Lee Harvey~~ Oswald. According to an affidavit that Ms. McMillan filed with the Committee, her only employment with the federal government was as a 30-day temporary translator for the Joint Press Reading Service, an organization that was operated by the American, British, and Canadian embassies in Moscow.

Finally, Ms. McMillan testified that because of her background in Russian studies, she applied for a position with the CIA in 1952 as an intelligence analyst. The application was withdrawn, but the CIA completed its security check on her and denied her a security clearance. She acknowledged being debriefed by an Agency employee in 1962 after returning

Classification: _____

Classified by derivation: _____

60

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

from her ~~third~~ trip to the Soviet Union, but explained that this contact was in some way related to the confiscation of her notes by Soviet officials.*

The Committee's review of CIA files pertaining to Ms. McMillan corroborated her testimony. There was no indication in the file suggesting that she had ever worked for

McMillan discussed the circumstances surrounding the encounter in John
*In November 1962, I had a conversation with a man who identified himself as a C.I.A. employee and gave his name as either Donald Jameson or James MacDonald. I agreed to see him in part because the confiscation of my papers and notes had utterly altered my situation -- I now had no hope of returning to the U.S.S.R. and was free for the first time to write what I knew. I was preparing a series of articles for The Reporter which would contain the same information about which Mr. Jameson had expressed a desire to talk to me. Finally, during the latter part of my 1962 trip to the U.S.S.R., I had been under heavy surveillance and the K.G.B. knew what Soviet citizens I had seen. Many of those I had talked to for the Reporter articles were Russian "liberals" (anti-Stalin and pro-Khrushchev). What reprisals might befall those whom I had interviewed I did not know, but since my notes were now part of the K.G.B. files, I felt that it might help them if the C.I.A. knew that which the K.G.B. already knew. My meeting with Mr. Jameson, which occurred at the Brattle Inn, Cambridge, was a reversal of my usual effort to avoid contact with the C.I.A., and the subject matter was confined to my impressions of the Soviet literary and cultural climate.

Classification: _____

Classified by derivation: _____

61
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

the CIA. In fact, there was some evidence suggesting that the Agency was reluctant even to debrief her after her trips to the Soviet Union. An interview with the former Agency official who had been deputy chief and then chief of the American legal travelers ^{indicated} program during the years 1958 to 1961 confirmed that Ms. McMillan had not been used by the CIA in that program.

There was information in Ms. McMillan's file indicating that on occasion during the years 1962-65 she had provided cultural and literary ~~type~~ information to the CIA. None of this information, however, was suggestive in any way of a clandestine relationship. Accordingly, there is no evidence that Ms. McMillan ever worked for the CIA or received the Agency's assistance in obtaining an interview with ~~Lee Harvey~~

Classification: _____

Classified by derivation: _____

62
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

Oswald.*

⑥ Richard E. Snyder

Richard E. Snyder was the consular official in the United States Moscow embassy who handled the Oswald case. It was Snyder with whom Oswald met in 1959 when Oswald sought to renounce his American citizenship. ^{had} Two years later, when Oswald initiated his inquiries about returning to the United States, Snyder again became involved in the case. Warren Commission critics have alleged that Snyder was associated in some way with the CIA during his service in the Moscow embassy.

In his Committee depositions, Richard Snyder acknowledged that for an ~~eleven~~ ¹¹-month period during 1949-50 he worked for

_____ evidence
*Nor is there any basis, based upon Ms. McMillan's testimony, CIA files, and an affidavit provided by McMillan's publisher, Harper and Row, to support the allegation that the CIA financed the book Marina and Lee.

Classification: _____

Classified by derivation: _____

Classification: _____

63

(This form is to be used for material extracted
from CIA—controlled documents.)

the CIA while he was on the waiting list for a foreign service appointment with the State Department. Snyder testified, however, that, since resigning from the CIA in March of 1950, he has had no contact with the CIA other than a letter written in 1970 or 1971 inquiring about employment on a contractual basis.*

The Committee reviewed Snyder's files at the State Department, Defense Department, and the CIA. Both the State Department and Defense Department ^{files} are consistent with his testimony. Snyder's CIA file revealed that, at one time prior to 1974, it had been red flagged and maintained on a segregated basis. The file contained a routing indicator ^{that} ~~which~~ stated that the file had been red flagged because of a

*Snyder also denied contact with any other intelligence service while active as a foreign service officer.

Classification: _____

Classified by derivation: _____

64
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

"DCI statement and a matter of cover" concerning Snyder.

In response to a Committee inquiry, the CIA indicated
that the DCI statement presumably refers to comments which
former DCI Richard Helms had made in 1964 concerning the
Oswald case, when Helms ^{was} ~~had been~~ Deputy Director for Plans.*

The CIA also stated that Snyder's file had been flagged at the
request of DDO/CI to ensure that all inquiries concerning
Snyder would be referred to that office. The Agency was unable
to explain the reference to "cover," because, according to its
records, Snyder had never been assigned any cover while employed.

Further, the Agency stated that "[t]here is no record in Mr.

Snyder's Official Personnel File that he ever worked, directly

*Responding to a newspaper allegation that Oswald had met with CIA
representatives in Moscow, Richard Helms wrote a memorandum to
the Warren Commission on March 18, 1964 in which he stated the
"desire to state for the record that the allegation carried in
this press report is utterly unfounded as far as the CIA
is concerned."

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

CHANGED FROM SECRET TO
DECLASSIFIED INFORMATION
RELEASE OF THIS DOCUMENT
as reflected

65
or indirectly, in any capacity for the CIA after his
resignation on 26 September 1950."

2-2
The Committee ~~does~~ not regard this explanation as
satisfactory, especially since Snyder's 201 file indicates that
for approximately one year during 1956-1957 he was used by an
Agency case officer as a ~~SPOTTER~~ ^{SPOTTER AT HARVARD UNIV.} because
of his access to other ~~STUDENTS~~ ^{STUDENTS} who might be going to the
Soviet Union. ⁱ nor was the Agency actually able to explain
specifically why someone considered it necessary to red
flag the Snyder file.

The remainder of the Snyder file, however, is entirely
consistent with his testimony before the Committee concerning
the absence of Agency contacts. In addition, the CIA
personnel officer who handled Snyder's case in 1950 confirmed
that Snyder had, in fact, terminated his employment with the

Classification: _____

Classified by derivation: _____

66
Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

CIA/NO PROTECTION TO
DECLASSIFICATION AND/OR
RELEASE OF THIS DOCUMENT

CIA at that time. Moreover, he added that Snyder did not go to the State Department under any kind of cover arrangement. _/

This position was confirmed by a former State Department official who was aware of procedures for State Department cover for CIA employees. In addition, this individual stated that at no time from 1959 to 1963 did the CIA use the State Department's overseas consular positions as cover for CIA intelligence officers.

(Insertion to follow -- Analysis)

Dr. Alexis H. Davison

Dr. Alexis H. Davison was the U.S. Embassy physician in Moscow from May 1961 to May 1963. In May 1963, he was expelled from the Soviet Union in connection with the Penkovsky spy case. After the assassination of President Kennedy, it was

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

67
discovered that the name of Dr. Davison's mother, Mrs. Hal Davison, and her Atlanta address were in Oswald's address book under the heading "mother of U.S. Embassy doctor." In addition, it was also determined that the flight ^{which} Oswald, his wife and child took from New York to Dallas on June 14, 1962 had stopped in Atlanta.

No ①
For this reason, it has been alleged that Dr. Davison was Oswald's intelligence contact in Moscow.

In a Committee interview, Dr. Alexis Davison stated that he had been a physician in the U.S. Air Force and was stationed in Moscow as the U.S. Embassy physician from May 1961 to May 1963. In this capacity, it was his duty to perform physical examinations on all Soviet immigrants to the United States. He recalls ^{ed} that most of these immigrants were elderly, but he remembers two young women, one who was a mathematics

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

68

teacher from the south of Russia and one who was married to
an American. The ^{individual who was married to the American} ~~latter~~ was ~~very~~ frightened by the prospect
of going to the United States. She stated that she was going
to Texas with her husband. Davison ^{thought her} ~~said~~ that if she and her
husband traveled through Atlanta on their way to Texas, his
mother, a native-born Russian, would be happy to see her. He
gave his mother's name and address in Atlanta to the woman's
husband, who was "scruffy looking." This was not an unusual
thing to do, since his family had always been very hospitable
to Russians who visited Atlanta. In retrospect, he assumes
that he gave his mother's name and address to either Lee
or Marina Oswald, but he ^{was} ~~is~~ ^{about} ~~is~~ uncertain ~~in~~ ^{about} this regard. _/

After the assassination of President Kennedy, Davison
was interviewed first by a Secret Service agent and later by
an FBI agent in connection with the entry of his mother's

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

69
name and address in Oswald's address book. The FBI agent
also interviewed Davison's mother, Mrs. Hal (Natalia
Alekseevna) Davison. Davison indicated that the Secret
Service and the FBI were the only government agencies to
interview him about his contact with the Oswalds. _/

Davison admitted his involvement in the Penkovsky spy
case. Specifically, he stated that in connection with his
assignment as U.S. Embassy physician in Moscow, he had received
some superficial intelligence training. This training mainly
involved lectures on Soviet life and instructions on remembering
and reporting Soviet names and military activities. During his
tour of duty in Moscow, Davison was asked by an Embassy
employee, whose name he no longer remembers, to observe a
certain lamp post on his daily route between his apartment
and the Embassy and to be alert for a signal by telephone ^x

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

70
Davison agreed.

Nb According to his instructions, if he ever saw a black chalk mark on the lamp post, or if he ever received a telephone call in which the caller blew into the receiver three times, he was to notify a person whose name he no longer remembers. He was told nothing else about this operation. Davison performed his role in this operation for approximately one year. He participated in no other operations during his tour of duty in Moscow, but he did perform some desk work for the Air Attache. On just one occasion, toward the end of ~~this year~~ ^{his tour}, he observed the mark on the lamp post and his wife received the telephone signal. As instructed, he reported these happenings. Shortly thereafter, the Soviets reported that they had broken the Penkovsky spying operation. The Soviets declared Davison persona non grata just after he left Moscow ^{having} because his tour of duty had ended. He ^{did} does not

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

71
recall any intelligence debriefings on the Penkovsky
case. _/

under oath
Davison denied participating in any other intelligence
activity related work during his employment in Moscow, and
~~provided the Committee with an affidavit to this effect.~~

The former deputy chief of the CIA's Soviet Russia clandestine
activities section during 1960-62 confirmed Davison's position,
and characterized his involvement in the Penkovsky case as a
"one shot" deal. In addition, a review of Davison's CIA and
Department of Defense files was ~~also~~ entirely consistent with
his Committee testimony.

an insufficient
Accordingly, there is ~~no~~ basis for concluding that Dr.

Davison was ~~Lee Harvey~~ Oswald's intelligence contact in
Moscow.

Classification: _____

Classified by derivation: _____

72
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

7. George deMohrenschildt [CIC]

George deMohrenschildt was a prominent member of Dallas' White Russian" community who befriended ~~Lee Harvey~~ ^{the} Oswald^s.

This friendship has engendered considerable speculation

because of the contrast ¹⁷⁹ ~~between the~~ backgrounds of the two men.

(who committed suicide in 1977)
DeMohrenschildt was described as sophisticated and well educated,

a man
one who moved easily in the social and professional circles

member of
of oilmen and the so-called "White Russian" community, many

of whom were avowed ^{conservatives} ~~right-wingers~~. Oswald's "lowly" background

did not include much education or influence, and he was, in fact,

shunned by the very same Dallas Russian community which ^{that} ~~which~~

embraced deMohrenschildt. ^{His expressed ideological} ~~DeMohrenschildt committed suicide~~

^{positions were Marxist} ~~In 1977 shortly after having been contacted for an interview~~

~~by a Committee investigator~~

In his Warren Commission testimony, deMohrenschildt

Classification: _____

Classified by derivation: _____

73
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

stated that he believed he had discussed ~~Lee Harvey~~ Oswald
with J. Walton Moore, whom deMohrenschildt described as "a
Government man -- either FBI or Central Intelligence." /

DeMohrenschildt said Moore had interviewed him when he

(DeMohrenschildt returned from Yugoslavia in 1952)
returned from Yugoslavia and that he was known as the head of

a tie to
the FBI in Dallas. / DeMohrenschildt *indicated* said that he had

Fort
asked Moore and ~~Mr.~~ *Fort* Worth attorney Max Clark about Oswald, to

reassure himself that it was "safe" for the deMohrenschildts

to assist Oswald, / and was told by one of these persons,

that "the guy seems to be OK." / This admitted association

with J. Walton Moore, a known employee of the CIA's

Domestic Contacts Division, gave rise to the question of

whether deMohrenschildt had contacted ~~Lee Harvey~~ Oswald on

behalf of the CIA.

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

74

In 1963, J. Walton Moore was employed by the Central Intelligence Agency in Dallas, [?]~~Texas~~ in the Domestic Contacts Division. According to Moore's CIA personnel file, he was assigned to the Domestic Contacts Division in 1948. In a fitness report for the period April 1, 1963 through March 31, 1964, Moore's duties in the Dallas office ^{are described as} ~~included~~ "supervising and managing a resident agency; exploitation of source's complete intelligence potential by debriefing...; writing reports; keeps informed on foreign situations and intelligence requirements in order to better orient and exploit sources; and searches for and develops new sources."

In an Agency memorandum dated April 13, 1977, contained in George deMohrenschildt's CIA file, Moore set forth facts to counter a claim ^{that} ~~which~~ had been recently made by WFAA-TV in Dallas that ~~Lee Harvey~~ Oswald had been employed by the

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

75
CIA and that Moore had known Oswald. In that memorandum, Moore ^{was} ~~is~~ quoted as saying that, according to his records, the last time he had talked with George deMohrenschildt was in the fall of 1961. Moore said that he had no recollection of any conversation with deMohrenschildt concerning ~~Lee Harvey~~ Oswald. The memorandum also says that Moore recalls only two occasions when he met deMohrenschildt -- first, in the spring of 1958, to discuss the mutual interest the two couples had in mainland China; and then in the fall of 1961, when the deMohrenschildts showed films of their Latin American walking trip.

Other documents in deMohrenschildt's CIA file, however, indicate more contact between Moore and deMohrenschildt than was stated in the 1977 memorandum by Moore. In a memorandum dated May 1, 1964, from Moore to the Acting Chief of the Contacts

Classification: _____

Classified by derivation: _____

76
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

Division of the CIA, Moore stated that he had known George deMohrenschildt and his wife since 1957, at which time Moore got biographical data on deMohrenschildt after ^{he had made} a trip to Yugoslavia for the International Cooperation Administration. ^{said} Moore ~~says~~ also in that 1964 memorandum that he had seen deMohrenschildt several times in 1958 and 1959. DeMohrenschildt's CIA file contains several reports submitted by deMohrenschildt to the CIA on topics concerning Yugoslavia, including "Lack of Interest in Communist Ideology," "National Pride/Feeling of Superiority over Soviet Satellites," and "Effect of Decentralization in the Oil-Industry."

DeMohrenschildt testified before the Warren Commission that he had never been in any respect an intelligence agent. __/

The Committee interview with Moore and its review of the CIA's ^{showed no evidence} Moore and deMohrenschildt files confirmed that deMohrenschildt

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

had never been an American intelligence agent. In this

during 1959-63,

regard, it should be stressed that, upon returning from trips

abroad, *as many as 25,000* ~~of~~ Americans annually provide information

to the CIA's Domestic Contacts Division on a nonclandestine

basis. Such acts of cooperation should not be confused with

an actual Agency relationship.*

8. William G. Gaudet [CIC]

William G. Gaudet was a newspaper editor who was issued

the Mexican tourist card immediately preceding Lee Harvey

Oswald's on September 17, 1963. Two days later, Gaudet he departed

for a three- or four-week trip to Mexico and other Latin

*DeMohrenschildt's file also makes reference to an occasion where he may have been involved in arranging a meeting between a Haitian bank officer and a CIA or Department of Defense official. A Department of Defense official interviewed by the Committee stated that the meeting was arranged by Department of Defense officials and that deMohrenschildt's presence (in the company of his wife) was unanticipated. The Committee does not regard this incident as evidence of any Agency relationship, because there is no indication that any United States governmental official actually solicited deMohrenschildt's assistance with regard to this meeting.

Classification: _____

Classified by derivation: _____

786
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

American countries. This happened to coincide with Oswald's
visit to Mexico City between September 27, 1963 and
October 3, 1963. After the assassination, Gaudet advised
the FBI during an interview that he had once been employed
by the CIA. Speculation about Gaudet's possible relationship
with Lee Harvey Oswald was ^{arose} ~~created~~ when it was discovered that
the Warren Commission Report contained a list, provided by
the Mexican Government and purporting to include all individuals
who had been issued Mexican tourist cards at the same time as
Oswald, ^{that} ~~which nevertheless~~ omitted Gaudet's name. _/

^{Is} ~~At~~ a Committee deposition, Gaudet testified that his
contact with the CIA was primarily as a source of information
~~reflecting information~~ that he had obtained during his trips
abroad; in addition, Gaudet maintained that he occasionally per-
formed errands for Agency personnel. Gaudet stated that his

Classification: _____

Classified by derivation: _____

79
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

last contact with the CIA was in 1969, but that the relationship
had never been formally terminated.

The Committee reviewed Gaudet's CIA file, but found
neither any record reflecting a contact between him and the
Agency after 1961, nor any indication that he had "performed
errands" for the CIA.* A memorandum, dated January 23, 1976,
seemed to confirm the absence of any further contact after
this time:

The Domestic Collections Division (DCD) has an inactive
file on William George Gaudet, former editor and
publisher of The Latin American Report. The file shows
that Gaudet was a source of the New Orleans DCD
Resident Office from 1948 to 1955 during which period
he provided foreign intelligence information on Latin
American political and economic conditions resulting
from his extensive travel in South and Central America
in pursuit of journalistic interests. The file further
indicates that Gaudet was a casual contact of the New
Orleans Office between 1955 and 1961 when, at various
times, he furnished fragmentary intelligence and tried
unsuccessfully to obtain financial loans from the Agency,

*The file did contain a routing indication, which the Agency
has failed to explain, to the effect that someone "agrees with
the manner in which this case is being handled." __/

Classification: _____

Dick + this is not an active source
Classified by derivation: _____

60
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

through DCD, to support his publication. There is
no correspondence in the DCD file on Gaudet after 1961.

Gaudet could not recall whether his trip to Mexico and
other Latin American countries in 1963 involved any intelligence
related activity. He was able to testify, however, that he
did not encounter ~~Lee Harvey~~ Oswald, whom he had previously
seen on occasion at the New Orleans Trade Mart, during that trip
(stated that he was issued)
Gaudet was unaware that his Mexican tourist card had been
issued immediately before Oswald's at the time he proceeded to that it
and could not recall having
seen Oswald on that day. Finally, Gaudet did not have any
information concerning the omission of his name from the
list published in the Warren Commission Report.

Based upon this evidence, the Committee ~~does~~ ^{did} not find
a basis for concluding that Gaudet may have contacted ~~Lee~~
~~Harvey~~ Oswald on behalf of the CIA. Although there is a
conflict between Gaudet's testimony and his CIA file concerning

Classification: _____

Classified by derivation: _____

Classification: _____

(81)

(This form is to be used for material extracted
from CIA—controlled documents.)

the duration of his Agency contacts as well as the performance of errands, there is no indication from his file or testimony that Gaudet's cooperation involved clandestine activity. Again, it should be stressed that the Domestic Contacts Division, which was the Agency component that was in touch with Gaudet, was not involved in clandestine operations.

the Soviet Union via (C1)
~~Oswald's Trip to Helsinki and the Issuance of His Entry Visa into the Soviet Union~~

Oswald's trip from London to Helsinki has been a point of controversy because his passport indicates that he arrived in Finland on October 10, 1959 and the Torni Hotel in

Helsinki had him registered as a guest on that date, but the only direct flight from London to Helsinki landed at 11:33 p.m. according to a memorandum signed in 1964 by

Richard Helms, "If Oswald had taken this flight, he could

Classification: _____

Classified by derivation: _____

82
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

not normally have cleared customs and landing formalities and reached the Torni Hotel downtown by 2400 (midnight) on the same day." ___/ Further questions concerning this segment of Oswald's trip have been raised by his ability to obtain a Soviet entry visa within only two days of having applied for it on October 12, 1959.*

The Committee was unable to determine the circumstances surrounding Oswald's trip from London to Helsinki. Louis Hopkins, the travel agent who arranged Oswald's initial transportation from the United States, stated that he did not know Oswald's ultimate destination at the time that Oswald booked his passage on the freighter Marion Lykes; consequently, Hopkins had nothing to do with the London to Helsinki leg of

*Since Oswald arrived in Helsinki on October 10, 1959, which was a Saturday, it is assumed that his first opportunity to apply for a visa was on Monday, the twelfth.

Classification: _____

Classified by derivation: _____



53
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

Oswald's trip. In fact, Hopkins stated that had he known
Oswald's final destination, he would have suggested sailing on
another ship that would have docked at a port more convenient
to Russia.

Hopkins indicated that Oswald did not appear to be
particularly well informed about travel to Europe. The
travel agent did not know whether Oswald had been referred to
him by anyone.

A request for any files that the CIA and Department of
Defense ~~may have~~ ^{had} pertaining to Lewis Hopkins resulted in a
negative name trace. The Committee was unable to obtain any
additional sources of information regarding Oswald's London
to Helsinki trip.

In contrast, the relative ease with which Oswald
obtained his Soviet Union entry visa was more readily
amenable to investigation. This issue is one that was also

Classification: _____

Classified by derivation: _____

84

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

of concern to the Warren Commission. ___/ In a letter to the CIA dated May 25, 1964, J. Lee Rankin inquired about the apparent speed with which Oswald's Soviet visa ^{was} issued. *had been* Rankin noted that he had recently spoken with Abraham Chayes of the State Department who *maintained* ^{contended} that at the time Oswald received his visa to enter Russia from the Soviet Embassy in Helsinki, at least one week ordinarily passed between the time of a tourist's application for a visa and the issuance of the visa. Rankin contended that if Chayes' assessment was accurate, then Oswald's ability to obtain his tourist visa in two days might have been ~~very~~ significant.

The CIA responded to Rankin's request for information on July 31, 1964. Richard Helms wrote to Rankin that the Soviet Consulate in Helsinki was able to issue a transit visa (valid for 24 hours) to U.S. businessmen within five minutes, but

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

85

if a longer stay were intended at least one week was needed to process a visa application and arrange lodging through Soviet Intourist. A second communication from Helms to Rankin, dated September 14, 1964, added that during the 1964 tourist season, Soviet Consulates in at least some Western European cities issued Soviet tourist visas in from five to seven days.

In an effort to resolve this issue, the Committee has reviewed the CIA file on Gregory Golub, who was the Soviet Consul in Helsinki when Oswald was issued his tourist visa. Golub's file reveals that, ^{ed} in addition to his Consular activities, he was suspected to have been an officer of the Soviet KGB.

Two CIA dispatches from Helsinki concerning Golub are of particular significance with regard to the time

Classification: _____

Classified by derivation: _____

86
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

necessary for issuance of visas to Americans for travel into
the Soviet Union. The first dispatch records that Golub
disclosed during a luncheon conversation that:

Moscow had given him the authority to give
Americans visas without prior approval from
Moscow. He (Golub) stated that this would
make his job much easier, and as long as
he was convinced the American was "all right"
he could give him a visa in a matter of
minutes... (emphasis added)

The second CIA dispatch, dated October 9, 1959, one
day prior to Oswald's arrival in Helsinki, illustrates that
Golub did have the authority to issue visas without delay.
The dispatch discusses a telephone contact between Golub
and his consular counterpart at the American Embassy in
Helsinki:

Classification: _____

Classified by derivation: _____

Classification: _____

(87)
(This form is to be used for material extracted
from CIA—controlled documents.)

...Since that evening (September 4, 1959) Golub has only phoned (the US consul) once and this was on a business matter. Two Americans were in the Soviet Consulate at the time and were applying for Soviet visas thru (sic.) Golub. They had previously been in the American consulate inquiring about the possibility of obtaining a Soviet visa in one or two days. (The U.S. Consul) advised them to go directly to Golub and make their request, which they did. Golub phoned (the U.S. Consul) to state that he would give them their visas as soon as they made advance Intourist reservations. When they did this, Golub immediately gave them their visas...* (emphasis added)

Thus, based upon these two factors: (1) Golub's authority to issue visas to Americans without prior approval from Moscow; and (2) a demonstration of this authority, as reported in a CIA dispatch approximately one month prior to Oswald's appearance at the Soviet Embassy, the Committee has found that the available evidence tends to support the conclusion that ^{the} issuance of Oswald's tourist visa within

*Evidently, Oswald had made arrangements with Intourist because upon his arrival at the Moscow railroad station on October 16, he was met by an Intourist representative and taken to the Hotel Berlin where he registered as a student. _/

Classification: _____

Classified by derivation: _____

88

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

two days after his appearance at the Soviet Consulate was not

necessarily unusual.

indicative of an American intelligence agency

connection.

FO. The Oswald Photograph in the Office of Naval

Intelligence Files

The Office of Naval Intelligence's ~~Lee Harvey~~ Oswald

file contained a photograph of Oswald, taken at the

approximate time of his Marine Corps induction, ~~that~~ ^{It} was

contained in an envelope which had on it the language

"REC'D 14 November 1963" and "CIA 77978." These markings

raised the possibility that Oswald had been in some way

associated with the CIA.

In response to a Committee inquiry, the Department of

Defense stated that the photograph had been obtained by

ONI as a result of ^{an October, 1963} a CIA request for two copies of the most

recent photographs of Oswald, so that an attempt could be made

Classification: _____

Classified by derivation: _____

Classification: _____

89

(This form is to be used for material extracted
from CIA—controlled documents.)

to verify his reported presence in Mexico City. The requested copies, however, were not made available to the CIA until after the President's assassination. Because of the absence of documentation, no explanation was given for how or when the Office of Naval Intelligence received this particular photograph of Oswald.

The Committee's review of CIA cable traffic confirmed that cable number 77978, dated October 24, 1963, was in fact a request for two copies of the Department of the Navy's most recent photograph of Lee Henry (sic) Oswald. Moreover, review of other cable traffic corroborated the Agency's desire to determine whether Lee Harvey Oswald had, in fact, been in Mexico City.

Classification: _____

Classified by derivation: _____

Classification: _____

90

(This form is to be used for material extracted from CIA—controlled documents.)

1. Lee Harvey Oswald in Mexico City (CIC)

The Committee also considered whether Oswald's activities and possible associations in Mexico City were indicative of a relationship between him and the CIA. This aspect of the Committee's investigation involved a complete review both of alleged Oswald associates and of various CIA operations outside of the United States.

The Committee found no evidence suggestive of any relationship between Oswald and the CIA. Moreover, the Agency's investigative efforts, prior to the assassination, regarding Oswald's presence in Mexico City served to confirm the absence of any relationship with him. Specifically, when apprised of his possible presence in Mexico City, the Agency both initiated internal inquiries concerning his background and, once informed of his Soviet experience, notified other

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

91

potentially interested federal agencies of his possible contact with the Soviet embassy in Mexico City. Finally, the overt nature and frequency of Oswald's contacts with the Cuban and Soviet Consulates (i.e., a total of at least five visits) also tended to indicate that Oswald was not under the direction of any professional intelligence officers.

12. Lee Harvey Oswald's Military Records.

The Committee reviewed Oswald's military records because of allegations that he had received intelligence training and had participated in intelligence operations during his term of service. Particular attention was given to the charges that Oswald's early discharge from the Marine Corps was designed to serve as a cover for an intelligence assignment and that his records reflected neither his true security clearance nor a substantial period of service in Taiwan. These allegations were considered relevant to the

Classification: _____

Classified by derivation: _____

92
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

question of whether Oswald had been performing intelligence assignments for military intelligence as well as to the issue of Oswald's possible association with the CIA.

Oswald's Marine Corps records bore no indication that he had ever received any intelligence training or performed on any intelligence assignments during his term of service. As a Marine serving in Atsugi, Japan, Oswald had a security clearance of confidential and never received a higher classification. Based upon the Warren Commission testimony of John E. Donovan, the officer who had been in charge of Oswald's crew, at the El Toro Marine Base in California, that all personnel working in the radar center were required to have a minimum security clearance of secret, the allegation has been made that the security clearance of confidential in Oswald's records is inaccurate. This allegation, however, was refuted by a review of files belonging

Classification: _____

Classified by derivation: _____

including 93

unit diaries that were not previously studied by the Warren Commission

Classification: _____

(This form is to be used for material extracted from CIA-controlled documents.)

either in Japan or California

to four enlisted men who had worked with Oswald; each of them had a security clearance of confidential.*

over

Oswald's military records, also dispelled the allegation

that he had served for a substantial period in Taiwan. These records state that, Oswald served in Japan from September 12, 1957 until November 2, 1958. Department of Defense records, however, do indicate that MAG (Marine Air Group) 11, Oswald's unit, was deployed for Taiwan on September 16, 1958 and remained in that area until April 1959, but an examination of the MAG 11 unit diaries indicated that Oswald had remained in Japan as part of a rear echelon.

Oswald's records also state that on October 6, 1958 he was transferred within MAG 11 to a

Headquarters and Maintenance Squadron subunit in Atsugi, Japan. The next week he reportedly spent in the Atsugi

*John E. Donovan, Oswald's immediate commanding officer, did have a security clearance of secret.

From September 1957 until November 1958

Classification: _____

stationed in the Philippines

Classified by derivation: _____

A

It has been stated that Oswald claimed to have ~~spent some~~ served in Taiwan, but the Committee's review of his

B. | The term ~~near~~ rear echelon unit does not, on its face, necessarily ~~mean that~~ preclude ~~Oswald the unit a~~ assigning Oswald to this status service with the main unit in Taiwan, but the Department of Defense has specifically ~~not~~ stated that "Oswald did not sail from Yokosuka, Japan on September 14, 1958. He remained aboard NAS Atsugi as part of the MAC-11 rear echelon." (emphasis added).*

*This is contrary to statements attributed to Lieutenant Charles R. Baker by Edward J. Epstein in his book "The Secret World of Lee Harvey Oswald". Baker mentions that Oswald did make the trip with the main unit, but was sent back to Japan on October 6, 1958.

94
Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

Based upon a direct examination of Oswald's unit diaries, as well as his own military records,
Station Hospital. On November 2, 1958, Oswald left Japan for duty in the United States.

it does not appear
Accordingly, there is no indication in Oswald's

military records that he had spent any time in Taiwan. This

finding is contrary to that of the Warren Commission that

Oswald arrived with his unit in Taiwan on September 30, 1958, and remained there for ~~approximately~~ *less than a week* but the Commission's analysis apparently was made without access to the unit diaries of MAG 11.* *Oswald*

Finally, with one exception, the circumstances surrounding Oswald's rapid discharge from the military do not appear to have been unusual. Oswald was obligated to service on active duty until December 7, 1959, but he applied for a hardship discharge on August 17, 1958 and two weeks later the application

*Similarly, a message sent on November 4, 1959 from the Chief of Naval Operations concerning Oswald, which states that he had "served with Marine Air Control Squadrons in Japan and Taiwan" may have been issued without checking unit diaries which indicated that Oswald had not been so deployed.

Classification: _____

Classified by derivation: _____

Moreover,
~~Finally~~, even if Oswald, in fact, did make
the trip with his unit to Taiwan, ~~it is~~ it
~~undisputed~~ it is clear that any such service there was
not for a substantial time period. The
unit arrived at Atsugi on September 20, 1958,
and ~~by~~ ^{by} November 2, 1958 Oswald ^{had} ~~had~~ left
for ~~and~~ from Japan to complete his tour of
duty in the United States. ~~to record~~

95
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

was approved.* It appears, however, that Oswald's ^{discharge} ~~hardship~~
application was processed so expeditiously because it was
accompanied ^{by} with all of the necessary documentation.

In response to a Committee inquiry, the Department
of Defense has stated that "to a large extent, the time
involved in processing depended on how well the individual
member had prepared the documentation needed for consideration
of his or her case." / A review of Oswald's case indicates
that his initial ^{discharge} ~~hardship~~ application was accompanied by all of the
~~which had been prepared with the assistance of the American Red Cross~~
requisite documentation. Oswald had met the preliminary
requirements of having made a voluntary contribution to the
hardship dependent and of applying for a dependent's quarters

*By September 4, 1959, Oswald had been informed that he would be
discharged on September 11, 1959. This explains why he was
able to tell passport officials on that day that he expected
to depart the United States on September 21, 1959.

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

Even though

all of the supporting affidavits for the quarters allotment had not been submitted at the time that the hardship discharge application was filed, the endorsements on the application

allotment to alleviate the hardship. His application indicated,

both the requisite preliminary application and

that these measures had been taken, and was accompanied by

the application for quarters allotment, these applications

two letters and two affidavits attesting to Marguerite

Oswald's inability to support herself.

that the reviewing officers were aware

Documents provided to the Committee by the American Red

Cross indicate that he sought their assistance regarding this

matter, and therefore was probably well advised on the requisite

documentation to support his claim. Indeed, Red Cross officials

interviewed Marguerite Oswald, and concluded that she "could

not be considered employable from an emotional standpoint." _/

The Fort Worth Red Cross Office indicated a quarters allotment

was necessary for Marguerite Oswald, rather than a hardship

discharge for Lee, and assisted her in the preparation of

the necessary application documents.

Ns 4

Oswald nevertheless informed the Red Cross office in

Classification: _____

Classified by derivation: _____

Classification: _____

97

(This form is to be used for material extracted
from CIA—controlled documents.)

El Toro, California, where he was then stationed, that he
desired to apply for a hardship discharge. [#] The unusual aspect
of Oswald's discharge application was that, technically, his
requisite application for a quarters allowance for his mother
should have been disallowed because Marguerite's dependency
affidavit stated that Oswald had not contributed any money to
her during the preceding year. __/

No # ¹ Nevertheless, the first officer to review Oswald's
^{Even so} application noted in his endoresment, dated August 19, 1959,
that "[a] genuine hardship exists in this case, and in my
opinion approval of the [quarters] allotment will not
sufficiently alleviate this situation." ¹ In addition,

five other officers endorsed Oswald's application. The

^{S.K.}
*This quotation suggests the possibility that applications for
quarters allotments and hardship discharges are considered
independently of one another.

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted from CIA—controlled documents.)

98

Committee was able to contact three of the ~~six~~ endorsing officers; two had no memory of the event, ___/ and one could not recall any details. ___/ The Committee considers their absence of memory to be indicative of the Oswald case having been handled in a routine manner.

Based upon this evidence, the Committee was not able to discern any unusual discrepancies or features in Oswald's military record.

13. Lee Harvey Oswald's Military Intelligence File

13

On November 22, 1963, soon after the assassination, Lt. Col. Robert E. Jones, Operations Officer of the U.S. Army's 112th Military Intelligence Group (MIG), Fort Sam Houston, San Antonio, Texas, contacted the FBI offices in San Antonio and Dallas and gave those offices detailed information concerning Oswald and A.J. Hidell, his alleged alias. This information

Classification: Confidential

Classified by derivation: _____

Classification: _____

(99)

(This form is to be used for material extracted
from CIA—controlled documents.)

suggested the existence of a Military Intelligence file on Oswald, and raised the possibility that he had intelligence associations of some kind. The Committee's investigation, however, revealed that military intelligence officials had opened a file on Oswald because he was perceived as a possible counterintelligence threat.

Robert E. Jones testified before the Committee that in June of 1963 he had been serving as Operations Officer of the 112th Military Intelligence Group at Fort Sam Houston, Texas.* Under the Group's control were seven regions encompassing five states: Texas, Louisiana, Arkansas, New Mexico, and Oklahoma. Jones was directly responsible for counterintelligence operations, background investigations, domestic intelligence, and any

*In his testimony, Jones also clarified and corrected the errors that appeared in communications that were generated as a result of the activities of his military intelligence unit.

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

100

special operations in this five-state area. He believes that
Oswald first came to his attention in mid-1963 through information
provided to the 112th MIG by the New Orleans Police Department
to the effect that Oswald had been arrested there in connection
with Fair Play for Cuba Committee activities. As a result of
this information, the 112th Military Intelligence Group took
an interest in Oswald as a possible counterintelligence
threat. The Group collected information from local agencies
and the military central records facility, and opened a file
under the names Lee Harvey Oswald and A. J. Hidell. Placed
in this file were documents and newspaper articles on such
topics as Oswald's defection to the Soviet Union, his travels
there, his marriage to a Russian national, his return to the
United States, and his pro-Cuba activities in New Orleans.

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

101

Jones related that on November 22, 1963, while in his quarters at Fort Sam Houston, he heard about the assassination of President Kennedy. Returning immediately to his office, he contacted MIG personnel in Dallas and instructed them to intensify their liaisons with federal, state, and local agencies and to report back any information obtained. Early that afternoon, he received a telephone call from Dallas advising that an A.J. Hidell had been arrested or had come to the attention of law enforcement authorities. Jones checked the MIG indices, which indicated that there was a file on Lee Harvey Oswald, also known by the name A.J. Hidell. Pulling the file, he telephoned the local FBI office in San Antonio to notify the FBI that he had some information. He soon was in telephonic contact with the Dallas FBI office, to which he summarized the documents in the file. He believes that one

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

102
person with whom he would have spoken was FBI Special Agent
in Charge J. Gordon Shanklin. He may have talked with the
Dallas FBI office more than one time that day.

Jones testified that his last activity with regard
to the Kennedy assassination was to write an "after action"
report, which summarized the actions he had taken, the people
he had notified, ^{that} and the times of notification. In addition,
Jones believes ² that this "after action" report included
information obtained from reports filed by the eight to
twelve Military Intelligence agents who performed liaison
functions with the Secret Service in Dallas on the day of the
assassination. This "after action" report was then maintained
in the Oswald file. Jones did not contact, nor was he
contacted by, any other law enforcement or intelligence agencies
concerning information which he could provide on Oswald. To

Classification: _____

Classified by derivation: _____

Classification: _____

103

(This form is to be used for material extracted
from CIA—controlled documents.)

Jones' knowledge, neither the FBI nor any law enforcement agency ever requested a copy of the Military Intelligence file on Oswald. To his surprise, neither the FBI, Secret Service, CIA nor Warren Commission ever interviewed him. No one ever directed him to withhold any information; on the other hand, he never came forward and offered anyone further information relevant to the assassination investigation because he "felt that the information that he had provided was sufficient and...a matter of record..."

Communications

Jones' contact with the FBI office in San Antonio is reflected in a teletype message sent at 4:25 p.m. on November 22, 1963, from that FBI office to the FBI Director and the Special Agent in Charge in Dallas.

Classification: _____

Classified by derivation: _____

104
Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

The Committee found Jones' testimony to be ~~very~~ credible.

His statements concerning the contents of the Oswald file

~~are~~ ^{were} consistent with FBI communications that were generated as
a result of the information which he initially provided.

Access to Oswald's Military Intelligence file, which the
Department of Defense never gave to the Warren Commission, was
not possible because the Department of Defense had destroyed
the file as part of a general program aimed at eliminating all
of its files pertaining to nonmilitary personnel. In
response to a Committee inquiry, the Department of Defense
gave the following explanation for the file's destruction:

1. Dossier AB 652876, OSWALD, Lee Harvey, was identified for deletion from IRR (Intelligence Records and Reports) holdings on Julian date 73060 (1 March 1973) as stamped on the micro-filmed dossier cover. It is not possible to determine the actual date when physical destruction was accomplished, but is credibly surmised that the destruction was accomplished within a period not greater than sixty days following the identification for deletion.

Classification: _____

Classified by derivation: _____

104

105

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

Evidence such as the type of deletion record available, the individual clerk involved in the identification, and the projects in progress at the time of deletion, all indicate the dossier deletion resulted from the implementation of a Department of the Army, Adjutant General letter dated 1 June 1971, subject: Acquisition of Information Concerning Persons and Organizations not Affiliated with the Department of Defense (DOD) (Incl 1). Basically, the letter called for the elimination of files on non-DOD affiliated persons and organizations.

2. It is not possible to determine who accomplished the actual physical destruction of the dossier. The individual identifying the dossier for deletion can be determined from the clerk number appearing on the available deletion record. The number indicates that Lyndall E. Harp was the identifying clerk. Harp was an employee of the IRR from 1969 until late 1973, at which time she transferred to the Defense Investigative Service, Fort Holabird, Maryland, where she is still a civil service employee. The individual ordering the destruction or deletion cannot be determined. However, available evidence indicates that the dossier was identified for deletion under a set of criteria applied by IRR clerks to all files. The basis for these criteria were established in the 1 June 1971 letter. There is no indication that the dossier was specifically identified for review or deletion. All evidence shows that the file was reviewed as part of a generally applied program to eliminate any dossier concerning persons not affiliated with DOD.

3. The exact material contained in the dossier cannot be determined at this time. However, discussions with all available persons who recall seeing the dossier reveal that it most probably included: newspaper clippings relating to pro-Cuban activities of Oswald, several Federal Bureau of Investigation reports, and possibly some Army counterintelligence reports. None of the persons indicated that they remember any

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

106

significant information in the dossier. It should be noted here that the Army was not asked to investigate the assassination. Consequently, any Army derived information was turned over to the appropriate civil authority.

4. At the time of the destruction of the Oswald dossier, IRR was operating under the records disposal authority contained in the DOD Memorandum to Secretaries of the Military Departments, OASD(A), 9 February 1972, subject: Records Disposal Authority (Incl 2). The memorandum forwards National Archivist disposal criteria which is similar in nature to the requirements outlined in the 1 June 1971 instructions. It was not until 1975 that the Archivist changed the criteria to ensure non-destruction of investigative records that may be of historical value. _/

Upon receipt of this information, the Committee

orally requested the destruction order relating to the file on Oswald. In a letter dated September 13, 1978, the General Counsel of the Department of the Army replied that no such order existed:

Army regulations do not require any type of specific order before intelligence files can be destroyed, and none was prepared in connection with the destruction of the Oswald file. As a rule, investigative information on persons not directly affiliated with the Defense Department can be retained in Army files only for short periods of time and in carefully regulated circumstances. The Oswald file

Classification: _____

Classified by derivation: _____

Classification: _____

(This form is to be used for material extracted
from CIA—controlled documents.)

107
was destroyed routinely in accordance with normal
files management procedures, as are thousands of
intelligence files annually. _/

found
The Committee ~~finds~~ this "routine" destruction of the
Oswald file extremely troublesome, especially when viewed in
light of the Department of Defense's failure to make this file
available to the Warren Commission. Despite the credibility
of Jones' testimony, without access to this file the question
of Oswald's possible affiliation with military intelligence
cannot be fully resolved. The absence of this file, however,
has no bearing upon the Committee's conclusion concerning
the absence of any relationship between Lee Harvey Oswald
and the CIA.

Classification: _____

Classified by derivation: _____

The original pages of those
redacted in ITEM 3-1
are missing. Unredacted
original pages and redacted
pages were sent to NARA.

HAG

(PL) 13 JAN 95